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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

McAbee et al.

Serial No.: 10/082,513

For: SYSTEMS AND METHODS FOR

SEVERING ELONGATED

MATERIAL

Filed: February 25, 2002

Examiner: Choi, S.

Group Art Unit: 3724

Alexandria, VA 22313-1450

Mail Stop Non Fee Amendment
Commissioner for Patents
P.O. Box 1450

ELECTION

In response to the Office Action mailed May 30, 2003, Applicant hereby elects Group I, Claims 1-15, for further prosecution in the above-identified application with traverse. In addition, Applicant elects Species B (the embodiment described on page 13, lines 12-26) for further prosecution with traverse. Applicant notes that Claims 1-9 and 12-13 are generic. Claims 10-11 and 14-15 read on Species B.

This election is made with traverse on the grounds that it would not be unduly burdensome for the Examiner to conduct a search on all of the pending claims. Applicant notes that in the Office Action, the Examiner identified the patent classifications that would need to be searched for each Group. See Office Action, mailed May 30, 2003, p. 2. The Examiner indicated that each Group is related to Class 83, which is entitled "Cutting." See

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id. Applicant respectfully submits that in searching for prior art related to one Group, the Examiner may locate prior art related to the other Group and may also need to search the subclasse that the Examiner has associated with the other Group. For these reasons, Applicant submits that the search and examination of the entire application could be made without serious burden. See MPEP § 803 ("If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.").

Applicant also traverses the Examiner's identification of Species. Specifically, the Examiner identified Species A as [t]he embodiment described on page 12, line 22-page 13, line 11." Id., p. 3. Applicant notes that this portion of the specification is a description of a method of performing an operational set-up for the system shown in Fig. 1.

The Examiner is respectfully invited to contact J. Jason Link at 336.607.7443 or Charles W. Calkins at 336.607.7315 to discuss any matter relating to this application.

Respectfully submitted,

Date: June 25,0

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